

advantageous systems and methods for managing EPL overlays as those overlays change during operation of an EPL system. As described in the Background of the Invention on page 1 of the present application, electronic shelf or price label systems typically include a plurality of EPLs for the items in a store. The EPLs are coupled to a central server located in the store from which prices for all of the displays can be changed. A price look up (PLU) file typically stores all of the prices for the store. In order to reduce the cost of EPL systems, only a limited amount of frequently changing information, such as price information is displayed electronically. Other less frequently changing information, such as item descriptions and product codes, is displayed through signs or overlays attached to the EPL.

Typically, a store employee must attach a new overlay each time a new product is added or when information for an existing product changes. Also, once attached, overlays must be checked to determine if their information is current and correct. Such tasks are both labor-intensive and time consuming.

Among its other advantages, the present invention provides a system and method for the in store management of electronic price label overlays. This system can automatically schedule printing of new up to date overlays. To this end, a mechanism is provided to determine electronic price label information and price look-up file descriptions that have been added or changed for particular price labels during operation of the EPL system in the store. In one embodiment, additions and changes in overlay data are marked and identified by the marks to create a print data file.

#### The Art Rejections

The sole grounds of rejection are based upon Kosarew. As addressed in greater detail below, those rejections are traversed as not supported by the relied upon art. While Kosarew

describes a highly advantageous technique for automatically labeling a batch of electronic price labels consistent with a Customer Data File (CDF). See, col. 3, lines 56-67. It does not anticipate and does not make obvious the presently claimed methods and systems for updating EPL overlays once the EPLs are in operation in a store and it is necessary to change the overlay to reflect ongoing changes in information.

Taking claim 1, by way of example, that claim addresses a "method of managing EPL overlay data as the EPL overlay data changes during operation of an EPL system". The method comprises the steps of "making a change . . .", "marking the change . . .", "recording a command to print an overlay", "reading the EPL data file for the marked change", and "creating a print file for printing an overlay containing the change".

For example, assume that Product X associated with an EPL is replaced by New Improved Product X. An operator then changes the EPL data files to reflect this change. See, for example, col. 6, lines 5 and 6. Such changes are typically ongoing. At a desired point in time, the operator enters a command to print overlay data. Changed records, such as the change from Product X to New Improved Product X are determined, as discussed, for example, at page 6, lines 17-22. A print file is created for printing an overlay containing the change, i.e., New Improved Product X. Store personnel then attach the overlay to the correct EPL.

The Official Action analyzes Kosarew with respect to claim 1 as follows. The Official Action states "Kosarew shows a method of managing electronic price label (EPL) overlay data as it changes during operation" citing the Abstract. Claim 1, however, recites that the claimed operation is "during operation of an EPL system". Claims 2-4 and 6 recite that this operation is "in a store". By contrast, Kosarew appears to describe a batch process, such as an original manufacturing process. Data is not managed by Kosarew "during operation of an EPL system"

as presently claimed. Cf. Kosarew, col. 1, lines 25-31 (programmed during manufacture); col. 1, lines 63-66 (continuous process); col. 3, line 9 (original manufacture); col. 3, lines 57-64 (batch processing); col. 4, lines 37-39 (batch mode for processing a specific order for a specific merchant); col. 8, lines 15-19 (speed of production); and col. 8, lines 46-49 (completed batch of tags 10 then distributed to the merchant). This is a fundamental distinction such that Kosarew does not anticipate and does not make obvious the present claims on this basis alone.

The Official Action continues by stating Kosarew "makes a change to an EPL data file and marks it" citing col. 2, line 63 through col. 3, line 10. Col. 2, line 63 through col. 3, line 10 of Kosarew describes the operation of an EPL system in a store in which the tag 10 is secured to a shelf adjacent a product and reprogrammed remotely. This portion of the Kosarew disclosure does not describe either the method or the apparatus of Kosarew, but rather tag operation in a store. More importantly, there is no indication in the cited text that a change is recognized as such or marked in the manner presently claimed.

The Official Action continues by suggesting Kosarew "reads the EPL data file for the marked change" citing col. 4, lines 30-55 and col. 5, lines 53-65; and creates a print file for printing an overlay containing the change" citing col. 4, lines 37-57 and col. 6, lines 17-52. This appears to be a misreading of Kosarew, and is also traversed. Col. 4, lines 30-55 and col. 5, lines 53-65 of Kosarew appear to address the correlation of unique record numbers (RNs) and serial numbers (SNs) in a Customer Data File (CDF), while col. 4, lines 37-57 and col. 6, lines 17-52 also address the correlation of RNs and SNs with some additional discussion of how RNs may advantageously be employed in the event an EPL is defective for some reason. Quite simply, this relied upon portion of Kosarew does not have any apparent relation to any change allegedly marked at Kosarew col. 2, line 63 through col. 3, line 10. More importantly, the cited language

does not meet the present claims and does not make them obvious.

Conclusion

The present rejection should be withdrawn and the claims as presently amended should be promptly allowed.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Paul W. Martin", written over a horizontal line.

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